

**FINAL REPORT  
OF ACCION GROUP, INC.  
INDEPENDENT MONITOR  
IN THE  
TRACK B SOLICITATION**

**Attachment No. 23**

**APS  
RESPONDENT CERTIFICATION**

## RESPONDENT CERTIFICATION

Respondent guarantees that it will not engage in unlawful market manipulation in either the solicitation process or in carrying out the Agreement if Respondent is a successful bidder. Respondent guarantees that it is not and shall not engage in any unlawful market manipulation in the Western Interconnection wholesale market of which Arizona is a part. Allegations of Respondent's failure to abide by this written guarantee will constitute grounds for the institution of Arizona Corporation Commission ("Commission") proceedings to determine whether Respondent or its officers are in violation of this guarantee. If this guarantee against market manipulation is determined to have been violated, the Commission in its discretion shall be entitled to take appropriate action, after notice and opportunity for hearing, including but not limited to penalties, fines, rescission of the Agreement and/or exclusion of Respondent from future solicitation processes.

Respondent also certifies that it has reviewed the Arizona Public Service Company Standards of Conduct for the Track B Competitive Procurement Process (particularly Section II.C of the Communications Protocol) and that it will comply, and will require its officers, directors, employees and consultants to comply, with all provisions of those Standards of Conduct that apply to its activities.

[Insert Respondent full name]

By: \_\_\_\_\_

Its: Chief Financial Officer

Date: \_\_\_\_\_